

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JUL 7 2023

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

ATIF AHMAD RAFAY,

Petitioner-Appellant,

v.

ERIC JACKSON,

Respondent-Appellee.

No. 20-35963

D.C. No. 2:16-cv-01215-RAJ
Western District of Washington,
Seattle

ORDER

Before: PAEZ and VANDYKE, Circuit Judges, and BENITEZ,* District Judge.

Judges Paez and VanDyke have voted to deny rehearing en banc, and Judge Benitez has recommended to deny the same. The full court has been advised of the petition for rehearing en banc, and no judge has requested a vote on whether to rehear the matter en banc. Fed. R. App. P. 35. The panel judges have voted to deny the petition for panel rehearing.

Accordingly, Appellant's petition for panel rehearing and rehearing en banc, filed June 14, 2023 (Docket Entry No. 74 in Case No. 20-35963), is DENIED.

* The Honorable Roger T. Benitez, United States District Judge for the Southern District of California, sitting by designation.